

CITY OF HAYWARD

AGENDA REPORT

Planning Commission

Meeting Date 2/22/01

Agenda Item _____

TO: Planning Commission

FROM: Arlynn J. Camire, Associate Planner

SUBJECT: **Zone Change Application No. 01-190-01 and Referral of Administrative Use Permit Application No. 01-150-09 – Abdul Mehdavi (Applicant), Patricia Wiese (Owner):** Request to Change a Zoning District from “RS” Single-Family Residential to “CG” General Commercial in order to Build a Parking Area to Serve an Automotive Repair Shop Facility. In addition, Referral By the Planning Director of an Administrative Use Permit Requesting to Construct and Operate an Automobile Repair Facility for the Purpose of Minor and Major Auto Repairs. *The Property Is Located at 28049 Mission Boulevard & 650-670 Hancock Street in the CG (General Commercial) and a RS (Single-Family Residential) Districts*

RECOMMENDATION

Staff recommends that the Planning Commission deny the 1) the zone change from Single-Family Residential Zoning District to General Commercial Zoning District and 2) the administrative use permit for construction and operation of an auto repair and body shop business subject to the attached findings.

DISCUSSION

The applicant proposes to build and operate an auto repair facility, featuring both minor and major services excluding vehicle painting. The auto repair services include engine tune-up, repair and overhaul, computer diagnostics and collision repair. Auto repair facilities require approval of an Administrative Use Permit in the “CG” General Commercial District. A portion of the customer parking and temporary outdoor vehicle storage is proposed to be located in an area of the site that is currently zoned “RS” Single-Family Residential, therefore the approval of a zone change to General Commercial District is necessary. The Planning Director is referring the AUP application directly to the Planning Commission for consideration because the project requires a zone change and it is felt that the use is not appropriate for the site.

Setting

The vacant 20,370-square-foot site includes two parcels which are generally at the northwest corner of Mission Boulevard and Hancock Street surrounding a 6,560-square-foot vacant corner parcel that is not included as part of this project. The site has frontage access on both Mission Boulevard and Hancock Street. The Mission Boulevard frontage is approximately 80 feet from the corner and is approximately 50 feet in length. The site frontage is approximately 163 feet on Hancock Street. The property is within the proposed expanded Redevelopment Plan Area.

The properties are located along a section of Mission Boulevard that is characterized by a mixture of commercial uses and services (including vehicle sales and service, restaurants, churches, grocery and convenience stores, and building and home improvement supplies) in the CG "General Commercial" Zone District.

The surrounding land uses, zone districts and General Plan land use designations are as follows:

	Existing Use(s)	Zone District(s)	Gen'l Plan Land Use Designation
North	Hertz Used Car Sales and Rentals	CG	CHDR
South	United Smith Memorial Christian Methodist Episcopal Church	CG	CHDR
East (across Mission Blvd.)	Site of future Big "O" Tires and Carl's Junior Restaurant and Jimenez Supermarket	CG	CHDR
West	Single Family Homes	RS	CHDR

CG = General Commercial District; RS = Single-Family Residential; CHDR = Commercial/High Density Residential

Project Description

The project consists of two, 2,920-square-foot, 2-story automobile service buildings. Each building contains 4 auto repair bays and 2 hydraulic vehicle lifts behind 4 roll-up garage doors. The first floor also contains a waiting area, a counter area, and a unisex restroom. The second floor is a mezzanine that contains 3 offices. The Off-Street Parking Regulations requires one parking space to be provided for each 500 square feet of gross floor area. Twelve parking spaces are required and 16 parking spaces are proposed.

The buildings are stucco with an arched stucco trim framing garage doors and entry doors. To give blank building walls facing Mission Boulevard and Hancock Street relief, arched stucco trim continues on featureless facades that do not have doors or windows. Window frames are not accented with this design element. The roofs are mansard like in design and are composition shingle. Staff recommends that if the Planning Commission is inclined to approve this project, the buildings should be redesigned to be compatible with the approved Big "O" Tires project that will be located on the east side of Mission Boulevard, directly across the

street from the project site. To illustrate the point, the Big "O" Tires project uses a Mission architectural style which ties in well with the thematic architecture required in the Mission Corridor Special Design District to the north and along the Tennyson Road corridor (Tennyson-Alquire Neighborhood Plan) to the southwest. In addition, the Big "O" Tires structures will be articulated on all sides with building offsets, and cornice bands will be used to cap off the walls.

General Plan Issues

The General Plan Map designation for the properties along Mission Boulevard is *Commercial/High Density Residential*. This designation is intended to permit infill development of vacant and/or underutilized parcels with either commercial uses or high-density residential projects where appropriate. The Growth Management Element of the General Plan and the Mission-Garin Neighborhood Plan provide the option for properties that are so designated to be developed with either commercial or high-density residential uses as appropriate. As a policy of the Growth Element, retail commercial uses are meant to support existing and planned residential development. In addition, policies of this Element encourage opportunities for integrated mixed use development and seek to move beyond "piecemeal planning" that is reactive to new development on a project by project basis focusing on growth that promotes a complete and integrated community.

The Proposed Amendment to the Downtown Hayward Redevelopment Plan, which is not yet adopted, includes the goals of: 1) Attracting neighborhood serving commercial uses, 2) assisting in the assembly of parcels into more-developable sites and 3) alleviating problems associated with uses that are incompatible with adjacent uses. In addition the proposed Amendment to the Redevelopment Plan promotes the expansion and enhancement of shopping facilities by encouraging the development of new commercial uses and the development of mixed use.

The project site is located one-fourth mile from the South Hayward BART Station which places it within the traditional walking distance of one-quarter mile for transit-oriented development or takes advantage of existing transit. Both the Growth Management Element and the Mission-Garin Neighborhood Plan encourage automobile uses that do not impact adjacent residential properties. However, the proposed facility includes major auto repairs that would have noise impacts, introduce undesirable outdoor vehicle storage, hazardous materials, and possibly odors. The auto repair facility would not necessarily provide a needed commercial support service to the adjacent residential properties, which is contrary to the intent of goals and policies of the Growth Management Element of the General Plan, the Mission-Garin Neighborhood Plan and the proposed Redevelopment Plan Amendment.

The proposed Amendment to the Downtown Hayward Redevelopment Plan describes physical blight as including factors that prevent or substantially hinder the economically viable use or capacity of buildings or lots. Blight condition can be caused by the existence of subdivided lots of irregular form and shape and inadequate size for proper usefulness and development that are in multiple ownership. Contrary to the objectives of both the Growth Element and the

proposed Amendment to the Downtown Hayward Redevelopment Plan, the development of the project could allow the 6,560-square-foot vacant corner parcel to lose its economic viability because its substandard lot size would not be able to adequately accommodate commercial development. The adjacent automobile repair facility limits the types of uses that can be developed due to use compatibility. Furthermore, site access onto the corner parcel and the potential siting of a building and parking will be limited since the corner property has an 80-foot frontage on Mission Boulevard, and driveways are required to be at least 25 feet from an intersection and 25 feet from an existing driveway.

ENVIRONMENTAL REVIEW

Projects that are denied do not require California Environmental Quality Act review. If the Planning Commission were to consider recommendation of approval of the project to City Council, the public hearing would be continued to allow time to prepare the necessary environmental documents and findings and conditions of approval.

PUBLIC HEARING NOTICE

On February 8, 2001, a Notice of Public Hearing was mailed to every property owner and resident within 300 feet of the property as noted on the latest assessor's records and the Mission-Garin Neighborhood Plan Task Force members.

CONCLUSION

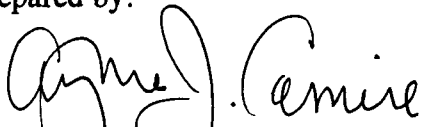
Staff believes that the development of a major auto repair facility on this site would introduce noise, undesirable outdoor storage of vehicles, hazardous materials and odors which would negatively impact the adjacent single-family residential neighborhood which is contrary to the intent of goals and policies of the Growth Management Element of the General Plan, the Mission-Garin Neighborhood Plan and the proposed Amendment to the Downtown Hayward Redevelopment Plan.

Major auto repair services and a body shop are not compatible with the mix of uses desired in the proposed Amendment to the Downtown Hayward Redevelopment Plan Area and are not transit-oriented uses that are desired in the vicinity of the BART station. In addition, the facility may not provide commercial uses and needed services to adjacent residents.

Furthermore, staff is of the opinion that the development of these two parcels without the third would create a situation that would limit the economic viability of the corner parcel because it is a substandard size to be developed as a commercial space which is contrary to the Growth Management Element and the proposed Amendment to the Redevelopment Plan. Therefore, staff recommends that the Planning Commission deny the conditional use permit and the zone change applications.

The decision by the Planning Commission on this proposal is final unless the Commission recommends that the City Council approve the conditional use permit and the zone change applications.

Prepared by:



Arlynn J. Camire, AICP
Associate Planner

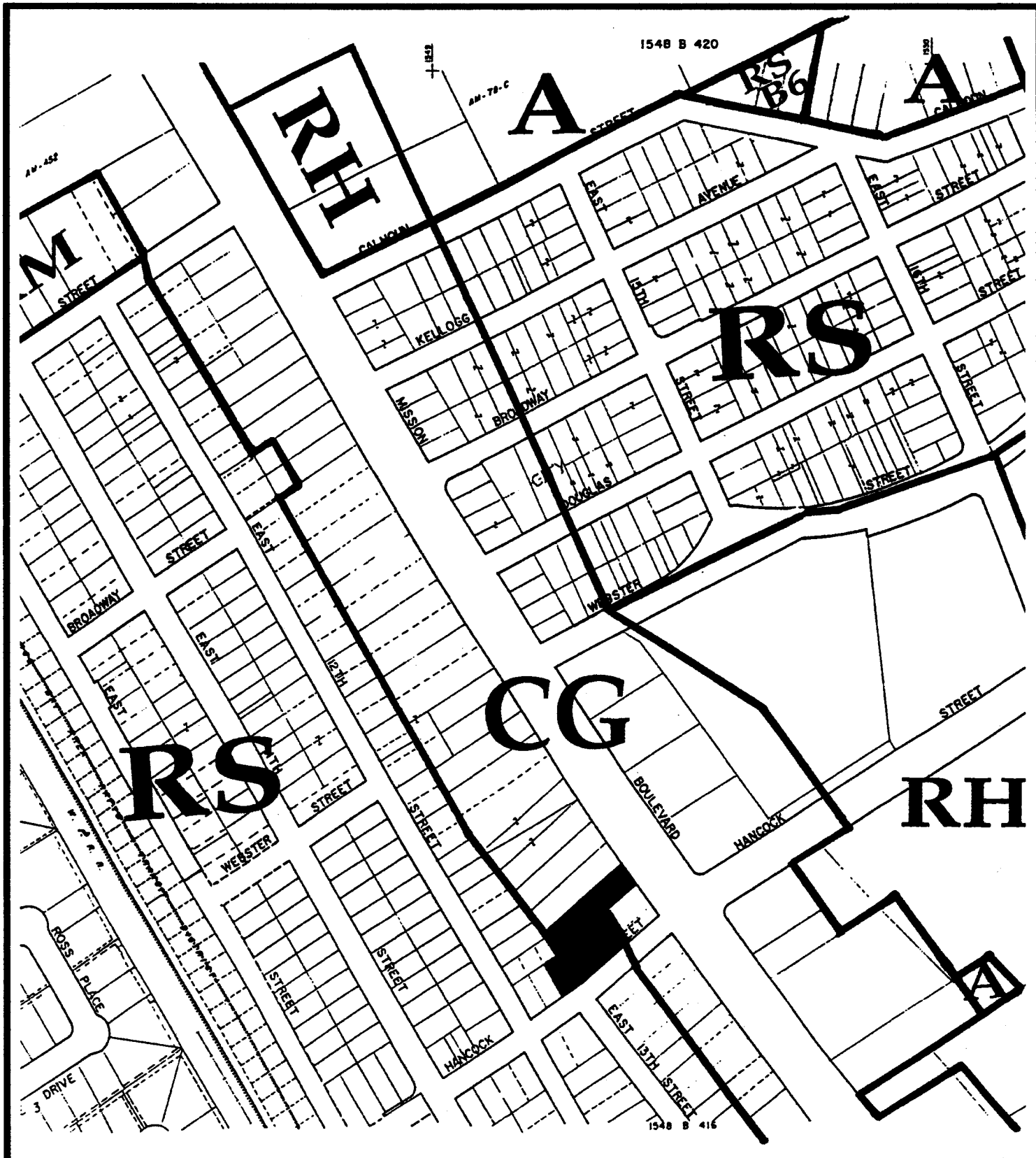
Recommended by:



Dyana Anderly, AICP.
Planning Manager

Attachments:

- A. Area/Zoning Map
- B. Findings for Denial Plans



Area/Zoning Map

ZC & AUP 01-190-01 & 01-150-09

Address: 28049 Mission Blvd & 650-670 Hancock Street

Applicant: Abdul Mehdavi

Owner: Patricia Wiese

ATTACHMENT A

FINDINGS FOR DENIAL

Administrative Use Permit Application No. 01-150-09

Abdul Mehdavi (Applicant), Patricia Wiese (Owner):

28049 Mission Boulevard and 650-670 Hancock Street

1. The proposed major auto repair services are not desirable for the public convenience or welfare in that they are detrimental to the desired pedestrian-oriented and transit-oriented uses envisioned by the Growth Management Element of the General Plan, the Mission-Garin Neighborhood Plan and the Proposed Amended Downtown Hayward Redevelopment Plan, and in that there are suitable locations for the proposed use elsewhere in the General Commercial and Single-Family Residential districts of the City. In addition physical blight would be continued by substantially hindering the economically viable use of the corner property which is not included in the proposed project site;
2. The proposed major auto repair service and body shop will impair the character and integrity of the General Commercial (CG) and Single Family Residential (RS) Districts as it is *not* a desirable use in the Proposed Amended Downtown Hayward Redevelopment Plan area amid the existing and proposed mix of pedestrian- and transit-oriented uses desired for the one-half mile radius of the South Hayward BART station; and
3. The proposed major auto repair service and body shop will be detrimental to the public health, safety, or general welfare in that the proposed use introduces traffic and parking conflicts and hazardous materials that are detrimental to the existing single-family residential uses and the proposed mix of transit-oriented uses desired for the one-half mile radius of the South Hayward BART station
4. The proposed major auto repair service will not be in harmony with applicable City policies as the *General Policies Plan*, *Growth Management Element* and the *Mission-Garin Neighborhood Plan* that envision uses that are transit-oriented and neighborhood serving.

FINDINGS FOR DENIAL
Zone Change Application No. 01-190-01
Abdul Mehdavi (Applicant), Patricia Wiese (Owner):
28049 Mission Boulevard and 650-670 Hancock Street

Based on the staff report and the public hearing record

- A. The project is not in conformance with the General Policies Plan Map designation of Commercial/ High Density Residential. This designation is intended to permit infill development of vacant and/or underutilized parcels with either commercial uses or high-density residential projects where appropriate. It has been determined that the temporary outdoor storage of vehicles awaiting maintenance would not be compatible with the adjacent residential properties. In addition, the project is not in conformance with the Growth Management Element of the General Policies Plan. Furthermore, the project is not in conformance with the Mission-Garin Neighborhood Plan and the proposed Amended Downtown Hayward Redevelopment Plan in that, the use is not compatible to the goals and objectives of these Elements and Plans which urge the development of supporting uses and services lacking in the Plan area that are residential and transit serving and does not meet the needs from an economic development standpoint.
- B. The development will not provide a use that will not be appropriate in size and location and overall planning for the purpose intended, and will not create an environment of sustained desirability and stability through the design standards, and may have adverse effect upon surrounding residential and commercial development in that the proposed use is not needed at this location as required by the proposed Amended Downtown Hayward Redevelopment Plan.